Unto the Questions sent me last night, I pray accept of the ensuing Answer, under the Title of two Questions concerning the Power of the Supream Magistrate about Religion, and the Worship of God; with one about Tythes, Proposed and Resolved.

Question I.

WHether the supream Magistrate in a Nation or Common-wealth of men professing the Religion of Jesus Christ, may or ought to exert his power Legislative and Executive, for the supportment, preservation, and furtherance of the profession of the Faith, and worship of God; and whether he may and ought to forbid, coërce, or restrain such principles and practises as are contrary to them, and destructive of them.

The Affirmative of both the parts of this Question is proved.

I. *From the Light and Law of nature.*

For,

1. That there is a God.

2. That this God ought to be believed in, and worshipped according to the Revelation that he makes of himself.

3. That it is incumbent on his worshippers in their several capacities, to defend and further that worship which answers the light and knowledge they have of him.

4. That to revile, or blaspheme this God, or his Name, is an evil to be punished by them who have *jus puniendi*, or the right of restraint in them, or committed unto them.

Are all dictates of the Law of nature, principles inseparable from that light which is natural, and necessary unto rational creatures, sub-

 sisting

siſting in a moral dependance on God, and confirmed by Scripture, *Heb.* 11. 6. *Exod.* 22. 28.

To aſſert then that the ſupream Magiſtrate, as ſuch, in any Nation, ought not to exert his Authority for the ends, and in the way enquired after, is contrary to *the Light and Law of nature.*

II. *From the Law of Nations.*

For,

1. The due and regular improvement of common natural notions, and inbred principles, unto univerſal publick Good, is the Law of Nations, whoſe general foundation is laid, *Gen.* 9. 5, 6.

2. The conſtant uſage of mankind in their political ſocieties, anſwerable unto right Reaſon, is the Revealer or Diſcoverer of this Law of Nations.

3. This Law is an evidence and preſumption of truth and right, paramount unto, and uncontroulable by any thing but expreſs Revelation; or it is a diſcovery of the will of God, leſs then, and ſubordinate unto no way, but that of immediate revelation.

4. The wilful breach or contempt of this Law, in its allotments or aſſignation of bounds to the intereſts and concernments of men, is generally eſteemed the moſt righteous ground of one Nations wageing war upon another.

5. That the ſupream Magiſtrate in each Common-wealth, ought to exert his power and authority, for the ſupportment, preſervation and furtherance of the worſhip of God, and to coërce and reſtrain that which would ruine it, is a maxime of this Law of Nations, manifeſted by the common conſtant uſage, and univerſal entrances, unimpeached by any one contrary inſtance (where this Law hath prevailed) of all mankind in their political ſocieties; nor is this practiſe controuled by expreſs revelation, but is rather confirmed, *Jerem.* 2. 10.

Therefore to deny the lawfulneſs of the Authority enquired after, and its due execution, is contrary *to the Law of Nations.*

III. *From Gods inſtitution, in and by Laws poſitive, upon doctrines of Faith, and wayes of Worſhip, of pure Revelation.*

For,

1. Among the people of the *Jews*, as is known and confeſſed, God appointed this as the chief and ſupream care and duty of the Magiſtrate, to provide by the Authority committed to him, that his worſhip, as by himſelf revealed, ſhould be preſerved, and provided for, in all the concernments of it; and that what was contrary unto it in ſome inſtances, he ſhould coërce and reſtrain, *Deut.* 14. 2, 3, 18, 19. *chap.* 16. 18, 19, 20, 21, 22.

2. Though

2. Though the instituted worship of God was for the greatest part then typical, and to endure but for a season, yet the preservation of that worship by God commanded, was a moral duty, *Deut.* 16. 20.

3. Gods command to the Magistrate, for the exercise of his care and duty in reference unto his *typical worship*, did not respect it, as *typical*, but as *his worship*.

4. The Law and command of God for the Magistrate in that Common-wealth to take care and do as above, was not only an eminent priviledge, blessing and advantage to the Common-wealth, as such; but it was also a special mercy to all and every one of his chosen ones in that Common-wealth; and what is given or granted by God to all or any of his Saints by the way of priviledge or mercy, is not disanulled, but either by express revocation, or the institution of somewhat exhibiting a greater priviledge, or mercy, wherewith the former proves inconsistent.

5. No revocation of this grant, or command, and institution, no appointment of any thing inconsistent with it, appears in the Gospel.

Then universally to deny the right and exercise of the Power enquired after, is contrary to *the positive law of God, given in reference unto doctrines of Faith, and wayes of Worship, of pure Revelation*; such as were those professed, and walked in under the Old Testament.

IV. *From the Example of all Godly Magistrates, accepted with God from the foundation of the world.*

For,

1. There is no one Magistrate left on record in the whole Book of God, with any commendation given unto him, or approbation of him as such, but it is firstly and chiefly on this account, that he exerted the Power and Duty enquired after. *David, Hezekiah, Josiah, Nehemiah*, as others, are instances.

2. Since the days of the publication of the Gospel, no one Magistrate hath obtained a Good report among the Saints and Churches of Christ, but upon the same account.

3. No one Magistrate is remembred to have omitted this care, work or duty, but a mark, or blot is left upon him for it, as a person disapproved, and rejected of God.

4. Nothing but an express discharge by way of Revelation, can acquit a Magistrate from following the example of all and every one of them, who in their work have been approved of God, in that wherein they were so approved. Wherefore,

To affirm that the Supream Magistrate ought not to exert his Authority for the ends mentioned, is to affirm, That *the Ma-*

giſtrate is now accepted with God, in and for the not doing of that which all other Magiſtrates have been accepted with God in, and by the doing of: which ſeems unreaſonable.

V. *From the promiſes of Goſpel times.*

For,

1. Promiſes given in a way of priviledge and mercy, that men ſhould do any thing, declare it to be their duty ſo to do.

2. There are many promiſes that in Goſpel times Magiſtrates ſhall lay out their power, and exert their Authority, for the furtherance and preſervation of the true Worſhip of God, the profeſſion of the Faith, the Worſhippers and Profeſſors thereof, and therein the whole intereſt of Sion, *Iſai.* 1. 26. *chap.* 49. 22, 23.

3. All the promiſes relating unto Gods Providential Diſpenſations in the World, with reference unto the Intereſt of his Church and people, do center in this, that the rulers in and of the world ſhall exert and exerciſe their power in ſubſerviency to the Intereſt of Chriſt, which lies in his Truth, and his Worſhip; which cannot be done, if the Power enquired after be denyed, *Iſai.* 60. 3, 11, 12. *to* 17. *Revel.* 11. 15.

To ſay then, that the Supream Magiſtrate in a Common-wealth of men profeſſing the true Chriſtian Religion, ought not to exert his Legiſlative and executive power in the defence, and for the furtherance of the Truth and Worſhip of God, and for the reſtraint of the things that are deſtructive thereunto, is to ſay, that the *promiſe of God is of no effect.*

VI. *From the Equity of Goſpel Rules.*

For,

1. Whatever is of Moral Equity, and hath the power of obligation from thence, the Goſpel ſuppoſeth, and leaves men under that obligation, preſſing them unto obedience thereunto, *Phil.* 4. 8.

2. Whatever was inſtituted and appointed of God formerly, is of Moral poſitive Equity, if it be not repealed by the Goſpel; and therefore the forementioned inſtitution of the Magiſtrates Duty in the things under conſideration, is ſuppoſed in the Goſpel.

3. The Goſpel Rules on this ſuppoſition are, that the Magiſtrate is to promote all Good, and to hinder all Evil that comes to his cognizance, that would diſadvantage the whole, by its civil diſturbance, or provoking God againſt it, and that in order to the Intereſt of Chriſt and his Church: *Rom.* 13, 1, 2, 3, 4, 5, 6, 7. 1 *Tim.* 2. 2. *with Prov.* 8. 15, 16.

4. That what is Good and Evil upon an Evangelical account, evidently

dently and manifestly is exempted from these Rules, cannot be proved. Therefore to say it, is contrary to the equity of Gospel Rules.

VII. *From the confession of all the Protestant Churches in the world.*

That all the Protestant Churches in the world assert, at least the whole of the duty contained in the affirmative of the Question to be incumbent on the supream Magistrate, is known to all men that care to know what they assert.

VIII. *From the confession of those in particular, who suffer in the world on the account of the largeness of their principles, as to toleration and forbearance.*

The *Independants*; whose words in their confession are as followeth.

Although the Magistrate is bound to encourage promote and protect the Professors and Profession of the Gospel, and to manage and order civil administrations in a due subserviency to the interest of Christ in the World, and to that end to take care that men of corrupt minds and conversations do not licentiously publish and divulge Blasphemies and Errors, in their own nature subverting the faith, and inevitably destroying the souls of them that receive them: yet in such differences about the Doctrines of the Gospel, or wayes of the worship of God, as may befall men exercising a good conscience, manifesting it in their conversation, and holding the foundation, not desturbing others in their wayes or worship, that differ from them, there is no warrant for the Magistrate under the Gospel to abridge them of their liberty.

IX. *From the spiritual sence of the generality of godly men in the world.*

This can be no otherwise known, but by the declaration of their judgements, and as to what can by that way be found out or discovered, a Thousand to one, of men truly godly, are for the *Affirmative*, *Vox populi Dei, est vox Dei.*

X. *From the pernicious consequences of the contrary assertion; whereof I shall mention only two.*

1. The condemnation and abrenunciation of the whole work of Reformation, in this, and other Nations, so far as it hath been promoted by Laws or Constitutions of Supream Magistrates: as in the Removal of Idolatry, destroying of Idols and Images, prohibiting the *Masse*, declaring and asserting the doctrine of the Gospel, supporting the professors of it; which things have been visibly owned and blessed of God.

2. The deſtruction of the Plea of Chriſts intereſt in the government of the Nations; eſpecially as ſtated by them, who in words contend to place him in the head of their Laws and Fundmentall conſtitutions; where nothing in a Government may be done *for* him, nothing againſt them who openly oppoſe him, men can ſcarce be thought to act under him, and in ſubordination to him.

The concluſion from hence is; *to advance an opinion into any neceſſity of its being received, which is contrary to the Law of Nature and Nations, Gods Inſtitutions and Promiſes, the equity of Goſpel rules, the example of all Magiſtrates, who have obtained teſtimony from God that they diſcharged their duty unto acceptation with him, to the confeſſion of all Proteſtant Churches, the ſpiritual ſence of the generality of Godly men in the World, and attended in it ſelf with pernicious conſequences, ſeems to be the effect of ſelf-fulneſs, and readineſs to impoſe mens private apprehenſions upon others, the only evil pretended to be avoided by it.*

II. The next Queſtion is.

May the Supream Magiſtrate, by Laws and Penalties compell any one who holds the head Chriſt Jeſus, to ſubſcribe to that Confeſſion of faith, and attend to that way of worſhip which he eſteems incumbent on him, to promote and further?

That we may anſwer diſtinctly, obſerve;

I. That the enquiry is concerning them only that *hold the head*; For others, their *caſe* is not propoſed. They are left to the providence of God, in his working on the hearts of them, whom he raiſeth up for Governors, according to the meaſure of light, love and zeal which he ſhall be pleaſed to impart unto them. And though it cannot be proved, that any Magiſtrate is authorized from God, to take away the *life* or *lives* of any man or men, for their disbelieving or denying any heads or Articles of the Chriſtian Religion; yet it doth not ſeem to be the duty of any profeſſing obedience to Jeſus Chriſt, to make any *ſtated*, *legal*, *unalterable* proviſion for their immunity, who renounce him.

II. That things, or opinions of publike ſcandall, National demerite, and reproach to the profeſſion of the Goſpel, ought to be reſtrained from being divulged by that publike ſpeaking of the Preſs, or in *Extrafamiliall* Aſſemblies, both which, according to the uſage of all Nations, are under the Power, and at the diſpoſal of the Supream Magiſtrate, was before proved, in our anſwer to the firſt Enquiry.

III. It

III. It is agreed that the meaſure of Doctrinal holding the Head, conſiſts in ſome few clear Fundamental propoſitions.

IV. It cannot be denied but that moſt men in the determination of this Queſtion, have run into extreams, much upon the account of their preſent Intereſt, or that of ſome Party of men, wherein and with which as to ſome ſpecial ſelf-ends, they are engaged.

Theſe things being premiſed, I anſwer to the Queſtion *Negatively*, and that becauſe the Authority enquired after, exerted to the ends mentioned, would immediately affect the Conſcience, and ſet up it ſelf in direct oppoſition to the light of God therein; A defect of proving the conveyance of ſuch an Authority over the Conſciences of men holding the head, having been long ſince diſcovered.

The Third Queſtion.

Whether it be convenient that the preſent way of the maintenance of Miniſters or Preachers of the Goſpell be removed and taken away, or changed into ſome other proviſion.

Anſwer.

I. That the Publike Preachers of the Goſpel ought to be maintained, by a Participation in the temporal things of them to whom the word is preached, is an appointment of the Lord Chriſt, and of the Apoſtles in his name and authority, 1 *Cor.* 9. 14. *Gal.* 6. 6.

II. The reaſonableneſs of this Goſpel Inſtitution is manifeſted by the Holy Ghoſt. 1. From the Law of Nature, *Luke* 10. 7. 1 *Cor.* 9. 7. 11. 2. From the Law of Nations in the ſame place. 3. From the tendency and Equity of *Moſaical* Inſtitutions, 1 *Cor.* 9. 9, 10, 11, 12, 13.

III. Where God by providential diſpenſations hath laid things in a Nation, in a ſubſerviency to an inſtitution of Chriſt according to his promiſe, *Pſal.* 2. 8. *Iſa.* 49. 23. as he hath done in this caſe, to oppoſe that order of things, ſeems to be a fighting againſt God and his Annointed.

IV. The payment of Tythes, 1. Before the Law, *Gen.* 14. 20. *Heb.* 7. 4, 5. with 2. The like uſage amongſt all Nations, living according to the light of Nature; 3. Their eſtabliſhing under the Law; with 4. The expreſs relation in Goſpel Appointment unto that eſtabliſhment, 1 *Cor.* 9. 14. do make that kind of payment ſo far pleadable, that no man without being able to anſwer and ſatisfie

that

that Plea, can with any pretence of a good conſcience, conſent to their taking away.

V. A maintenance by a Participation in mens Temporals, for thoſe who preach the Goſpel, being expreſly appointed by Jeſus Chriſt, and reference for the proportion, being directly made by the Apoſtle, unto the proportion allotted by God himſelf under the Old Teſtament; for any man, or number of men to ſuppoſe they can make a better and wiſer allotment, eſpecially when and where a neer approachment thereunto is already made by providence, ſeems to be a contending with him, who is mightier then they.

VI. To deprive Preachers of the Goſpel, when ſent out into their Maſters harveſt, and attending unto their work, according to the beſt of the light which the preſent age enjoyeth, with viſible and glorious ſucceſs, of the portion, hire, wages, or temporal ſupportment prepared for them in the good providence of God, upon pretences of inconveniences, and diſſatisfactions of ſome prejudiced men, ſeems to be an attempt, not to be parallel'd from the foundation of the world.

VII. Where-ever, or in what Nation ſoever there hath been a removal of the maintenance provided in the providence of God, for the neceſſary ſupportment of the publike Diſpenſers of the word, the iſſue hath been a fatall and irrecoverable diſadvantage to the Goſpel and intereſt of Chriſt in thoſe Nations.

It appears then firſt, That to take away the Publike maintenance provided in the good Providence of God, for the publike Diſpenſers of the Goſpel, upon pretences of preſent inconvenience, or promiſes of future proviſion, is a contempt of the care and faithfulneſs of God towards his Church, and in plain terms, down-right Robbery.

Secondly, To entitle a Nation unto ſuch an action, by impoſing it on them without their conſent, is down-right Oppreſſion.

VIII. An alteration of the way of payment of that Revenue which is provided in the Providence of God for publike Preachers, by the way of Tythes, into ſome other way of payment, continuing the preſent Right, is not obnoxious or lyable to any of the forementioned evils, but its convenience or inconvenience may be freely debated.

Yours

J. O.

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